

Attorney's Docket No.: 08269-003001
Client's Ref. No.: 42.61695/006.hd

OFFICIAL COMMUNICATION

FACSIMILE

FOR THE PERSONAL ATTENTION OF:

EXAMINER H. OWENS, JR.

U.S. PATENT AND TRADEMARK OFFICE (PATENT)

COMMISSIONER FOR PATENTS

WASHINGTON, D.C. 20231

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GROUP 1623 FAX NO: 703-308-4624

Number of pages including this page 3

Applicant : Arne H. Deggerdal et al.
Serial No. : 08/849,686
Filed : August 21, 1997

Art Unit : 1623
Examiner : H. Owens, Jr.

FACSIMILE COMMUNICATION

Title : ISOLATION OF NUCLEIC ACID

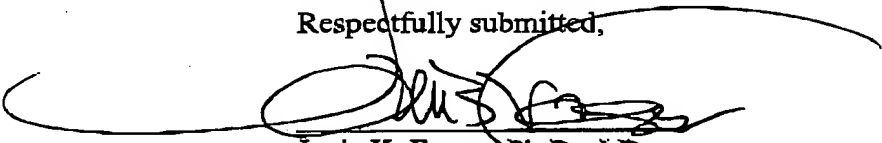
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Attached to this facsimile communication cover sheet is Statement of Interview, faxed this 13th day of January, 2004, to Group 1623, the United States Patent and Trademark Office.

Respectfully submitted,

Date: January 13, 2004


Janis K. Fraser, Ph.D., J.D.
Reg. No. 34,819

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110-2804
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STATEMENT OF INTERVIEW

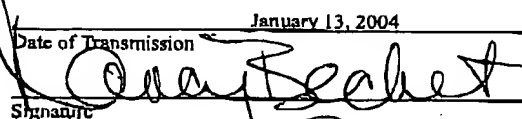
It has come to applicants' attention that a telephonic interview between the undersigned and Examiner Owens on June 6, 2002, was never recorded in subsequent papers filed by applicants in this case. Nor was any Interview Summary received by applicants from the U.S. Patent and Trademark Office regarding the interview. Thus, applicants are submitting this Statement of Interview to complete the file.

The subject matter of the interview was a proposed amendment to the claims that added a "genomic DNA" limitation. During the interview, the Examiner said that the proposed amendment appeared to overcome the prior art of record, and furthermore that it did not raise any "new matter" or enablement issues. However, the Examiner opined that the "genomic DNA" limitation would require a new search, so could not be introduced after final. Accordingly, Applicants subsequently filed the amendment with a Continued Prosecution Application filed on August 12, 2002. Applicants apologize for previously neglecting to include a statement describing this interview.

For completeness, applicants also note that a brief telephone conversation with Examiner Owen's supervisor, Examiner Wilson, took place on January 12, 2004, and another with Examiner Owens took place on January 13, 2004. The subject of each of these was the status of

CERTIFICATE OF TRANSMISSION BY FACSIMILE

I hereby certify that this correspondence is being transmitted by facsimile to the Patent and Trademark Office on the date indicated below.

January 13, 2004
Date of Transmission

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Nancy Bechet
Typed or Printed Name of Person Signing Certificate

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the case and applicants' belief that the amendments of record were sufficient to overcome the rejections of record.

It is believed that no fees are due in connection with this statement. If any are due, they may be charged to our deposit account 06-1050, referencing attorney docket number 08269-003001.

Respectfully submitted,

Date:

May 13, 2004
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